

Applic. No.: 10/694,601

Amdt. Dated March 29, 2005

Reply to Office action of January 25, 2005

REMARKS/ARGUMENTS

Reconsideration of the application is requested.

Claims 1-8 remain in the application.

In item 3 on pages 2-3 of the above-mentioned Office action, claims 1-8 have been rejected as being anticipated by Fischer et al. (US Pat. No. 6,659,355 B1) under 35 U.S.C. § 102(e).

As will be explained below, it is believed that the claims were patentable over the cited art in their original form and the claims have, therefore, not been amended to overcome the references.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claims 1 and 5 call for, inter alia:

an intermediate carrier forming a functional component of said keypad and serving as a carrier for said additional component.

An important difference between Fischer et al. and the invention of the instant application lies in the feature "an intermediate carrier forming a functional component of said keypad and serving as a carrier for said additional component"

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as recited claims 1 and 5 of the instant application. It is clear from the recitation that the intermediate carrier (2) is a functional component of the keypad (3) and it does not concern two components that can be separated from each other and the functionality of which is independent from each other. The intermediate carrier is part of the keypad, which would not function as an input device without the intermediate carrier.

This feature is not disclosed by Fischer et al. Rather, Fischer et al. describe the keypad as a stand-alone module, which is only applied to the intermediate carrier ("strip conductor carrier layer 8") that is separated from the keypad. The keypad functions as an input device without the intermediate carrier, the function of which is to provide connection between the individual components. The intermediate carrier does not become a part, by no means a functional part, of the keypad through assembly. This is supported by the statement "the keypad 4 [is] connected to the strip conductors by metal contact surfaces 7" (see column 2, lines 10-11 of Fischer et al.). The fact that the connection of the keypad with the intermediate carrier is made by contacts infers that the intermediate carrier is not part of the keypad because otherwise the connection of the keypad and the intermediate carrier would already inherently exist.

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Also, it can be seen from Fig. 4 that the components in Fischer et al. are mounted in the card body in which the components are positioned in the recesses of the chip card and on the intermediate carrier. Although Fig. 4 illustrates the chip module, the positioning of the keypad should be similar.

With regard to the recitation "an intermediate carrier ... serving as a carrier for said additional component" in claims 1 and 5 of the instant application, it is noted that the carrying function of the intermediate carrier does not relate to the keypad, but rather only to the additional component, which is applied on the intermediate carrier.

In contrast, the intermediate carrier in Fischer et al. serves as a carrier for the chip card, the display device, and also the keypad. Conductor tracks are deposited on the intermediate carrier in order to link the components and connect them with one another.

In an advantageous embodiment of the invention of the instant application, conductor tracks are also deposited on the intermediate carrier in order to connect an additional component. However, the conductor tracks do not serve as a connection with a separate keypad, but rather the intermediate

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carrier is a functional part of the keypad, in order to not only guarantee the functionality of the keypad but also connect an additional component to the intermediate carrier. This functionality can be seen from the description "The switching sheet, ..., can be directly contact-connected to the intermediate carrier" (see page 4, lines 11-14 of the specification). The "switching sheet" alone is not a keypad, as described on page 2, lines 1-2 of the specification "Known keypads, ..., include a covering sheet and a base sheet. Switching parts, ..., are arranged between the covering sheet and the base sheet." Clearly, a further layer is necessary in order for the switching sheet to have the functionality of a keypad. It is, therefore, clear that the intermediate carrier according to the invention of the instant application does not serve for connecting a keypad and a further component, but rather it enables the functionality of the keypad as a part the keypad and can directly connect with an additional component.

This can also be recognized based on the configuration of the conductor tracks on the intermediate carrier. In Fischer et al. the conductor tracks merely provide connection locations for the keypad connections, whereas in the invention of the instant application the conductor tracks must be so configured in order to also provide the functionality in connection with

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the "switching sheet," which is substantially more complicated.

Clearly, Fischer et al. do not show "an intermediate carrier forming a functional component of said keypad and serving as a carrier for said additional component," as recited in claims 1 and 5 of the instant application.

Claims 1 and 5 are, therefore, believed to be patentable over the art and since all of the dependent claims are ultimately dependent on claims 1 or 5, they are believed to be patentable as well.

Although Applicant believes that the term "functional component" is clear, the Examiner may replace this term with "functional constituent part" (see, for example, page 3, line 14 and page 7, line 22 of the specification) if the Examiner believes that the latter is clearer.

In view of the foregoing, reconsideration and allowance of claims 1-8 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate a telephone call so that, if possible, patentable language can be worked out.

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If an extension of time for this paper is required, petition for extension is herewith made. Please charge any fees which might be due with respect to 37 CFR Sections 1.16 and 1.17 to the Deposit Account of Lerner and Greenberg, P.A., No. 12-1099.

Respectfully submitted,

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